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2
3 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**
4 **OF THE STATE OF WASHINGTON**
5

6 IN THE MATTER OF ENFORCEMENT)
7 ACTION AGAINST) PDC CASE NO.: 01-679
8 ST. CLAIR WOODWORTH) **FINAL ORDER IMPOSING FINE**
9 Respondent.)
_____)

10 The Washington State Public Disclosure Commission (Commission) conducted an
11 enforcement hearing under chapters 34.05 and 42.17 RCW and chapter 390-37 WAC on
12 August 28, 2001.

13 The Commission held the hearing in Room 206 of the Evergreen Plaza Building,
14 711 Capitol Way South, in Olympia, Washington to determine if the Respondent violated
15 RCW 42.17.240 by failing to properly file an F-1 report due on or before April 16, 2001.
16 The Respondent was properly notified of the hearing by letter dated August 7, 2001 but
17 failed to appear. The Commission's Enforcement Staff (Staff) appeared through Philip
18 Stutzman, Director of Compliance.
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20 The Commission considered the Notice of Administrative Charges and its
21 incorporated exhibits. The Notice of Administrative Charges and exhibits are incorporated
22 by reference into this Order. The Commission heard oral argument by Staff.
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1 Based on this record, the Commission finds that

- 2 1) The Respondent is a Commissioner for the Port of Sunnyside.
- 3 2) The Respondent was required to file a Statement of Financial Affairs (PDC Form
- 4 F-1) by April 16, 2001.
- 5 3) The Respondent failed to file the F-1 Report by April 16, 2001.
- 6 4) The Respondent failed to file an F-1 Report in 2000 and was assessed a penalty in
- 7 Case No. 01-128 of \$500 by order entered December 4, 2000, which has been paid.
- 8 5) The Respondent failed to file an F-1 Report in 1999 and was assessed a penalty in
- 9 Case No. 00-205 of \$150 by order entered November 19, 1999, which has been
- 10 paid.
- 11

12 Based on the findings of fact, the Commission concludes that the Respondent violated
13 RCW 42.17.240 by failing to file the F-1 Report by April 16, 2001.
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15 **The Commission ORDERS that the Respondent is assessed a civil penalty of**
16 **\$1,000. \$500 is suspended on the condition the Respondent commits no further**
17 **violations of RCW 42.17 for a period of 3 years from the date of this order. IT IS**
18 **FURTHER ORDERED that if the non-suspended portion of the assessed penalty is**
19 **not paid within 30 days of the date of this order, the unpaid penalty will be turned**
20 **over to the Office of the Attorney General for collection.**
21

22 Any party may ask the Commission to reconsider this final order. Parties must
23 place their requests for reconsideration in writing, include the specific grounds or reasons
24 for the request, and deliver the request to the office of the Public Disclosure Commission
25 within 10 days of the date that the Commission serves this order upon the party.
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1 Pursuant to RCW 42.17.395(5), a final order issued by the Public Disclosure
2 Commission is subject to judicial review under the Administrative Procedures Act, chapter
3 34.05 RCW. Pursuant to RCW 34.05.542(2), a petition for judicial review must be filed
4 with the superior court in Thurston County or the petitioner's county of residence or
5 principal place of business. The petition for judicial review must be served on the Public
6 Disclosure Commission and any other parties within 30 days of the date that the Public
7 Disclosure Commission serves this final order on the parties.

9 If reconsideration is properly sought, the petition for judicial review must be served
10 on the Public Disclosure Commission and any other parties within 30 days after the
11 Commission acts on the petition for reconsideration. Pursuant to RCW 34.05.470(3), the
12 Public Disclosure Commission is deemed to have denied the petition for reconsideration if,
13 within twenty days from the date the petition is filed, the agency does not either dispose of
14 the petition or serve the parties with written notice specifying the date by which it will act
15 on the petition. Pursuant to RCW 34.05.470(5), the Respondent is not required to ask the
16 Public Disclosure Commission to reconsider the final order before seeking judicial review
17 by a superior court.

19 The Commission will seek to enforce this final order in superior court under RCW
20 42.17.395 - .397, and recover legal costs and attorney's fees, if the penalty remains unpaid
21 and no petition for judicial review has been filed under chapter 34.05 RCW. This action
22 will be taken without further order by the Commission.

24 DATED this 31st day of August, 2001.

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26 /s
VICKI RIPPIE, Executive Director